



## City of Santa Barbara California

### STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** July 13, 2017  
**AGENDA DATE:** July 19, 2017  
**PROJECT ADDRESS:** 940 Alston Road (MST2016-00444)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Irma Unzueta, Acting Senior Planner  
 Andrew Perez, Planning Technician II

#### I. PROJECT DESCRIPTION

The 75,475 square-foot site is a vacant lot. The proposal is to construct a new 4,402 square foot two-story, single-family residence with a 608 square foot basement, 440 square foot detached garage and 499 square foot detached accessory structure on a previously undeveloped site. Additional site improvements include a 22'x12' swimming pool, spa and new site landscaping including the removal of one palm tree. Approximately 711 cubic yards of cut and 677 cubic yards of fill will occur with 34 cubic yards to be balanced on-site. The proposed total of 5,625 square feet on 1.74 acre lot located in the Hillside Design District is 102% of the guideline maximum floor-to-lot-area ratio (FAR).

The discretionary application required for this project is a Modification to allow an accessory building to be located in the remaining front yard (SBMC §28.87.160.B and SBMC §28.92.110).

The project requires an environmental finding pursuant to California Environmental Quality Act Guidelines Section 15183.

#### II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to the findings and conditions in Section V of this Staff Report.

#### III. SITE INFORMATION AND PROJECT STATISTICS

##### A. SITE INFORMATION

Applicant:	Kas Seefeld, Architect	Property Owner:	Charles R. Rudd and Inken H. Gerlach
Parcel Number:	015-173-028	Lot Area:	75,475 sq. ft.
General Plan:	Low Density Residential (Max 2 du/acre)	Zoning:	A-2

Existing Use: Vacant

Topography: 30%

Adjacent Land Uses:

North – Single Family Residence (1-story)

East - Single Family Residence (1-story)

South - Single Family Residence (1-story)

West - Single Family Residence (1-story)

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	0 sq. ft.	5,010 sq. ft.
Garage	0sq. ft.	440 sq. ft.
Accessory Space	0 sq. ft.	499 sq. ft.

**C. PROPOSED LOT AREA COVERAGE**

Building: 5,509 sf 7%

Hardscape: 4,125 sf 5%

Landscape: 65,841 sf 88%

**IV. DISCUSSION**

The proposed project consists of the construction of a new single family dwelling, detached garage, swimming pool and detached accessory building on a vacant lot. The parcel has an average slope of 30%, with the highest point of the parcel at the street frontage and sloping down and away from the street. The parcel was established when a two-lot subdivision was approved by the Planning Commission on February 7, 1985 (Resolution 012-85). The conditions of approval contained in that Resolution limited development by requiring future development to preserve and protect existing oak trees on site, and required future building locations to avoid any faults and easements on site. A substantial conformance determination was made on May 26, 2017 to allow the main building to be located south of the southernmost splay fault, and to locate an accessory structure between the middle splay fault and the recommended structural setback from the southernmost splay fault. In addition to the multiple splay faults that are present on site, there are City sewer easements that cross the site at various points.

The proposed location of the detached accessory structure was a result of both the conditions of approval when the subdivision was approved and physical site constraints. In addition to the presence of multiple splay faults on site, there is a 10 foot sewer easement that crosses the site in multiple directions that restrict the area on site that can be developed. The topography of the site south of the proposed development is fairly steep, as it drops approximately 50 feet from the finished floor of the dwelling to the southernmost point of the property, making it unsuitable for an accessory building due to the additional grading that would be required. In its proposed location, the finished floor of the accessory building will be approximately 17 feet below the elevation of Alston Road. If constructed as proposed, the height of the accessory building is proposed to be only 13 feet, so its visibility from the public right-of-way would be limited, especially from a passing motorist.

Staff is supportive of this request because the topography of the site limits visibility of the proposed accessory building from the street; therefore, it is not anticipated to adversely impact

the openness of the street frontage. Additionally, site constraints limits the development potential on site, making the remaining front yard the most appropriate location for the accessory building.

#### Environmental Review

The vacant site is located in a geologically sensitive area, requiring a geologic investigation. A report dated May 17, 2017 was prepared by Adam K. Simmons, Certified Engineering Geologist and Hydrogeologist. Mr. Simmons recommends that certain measures be taken to reduce the potential for adverse geologic conditions. It is recommended that all permanently occupied structures shall be located a minimum of 10 feet south of the southernmost splay fault. It is also recommended that a geological representative be present during the rough grading process and/or during the excavation for the keyways and caissons.

The two-lot subdivision that was approved by the Planning Commission requires future development to protect existing oak trees on site. An arborist report was prepared by Kenneth Knight, Certified Master Arborist on May 3, 2017, to identify potential impacts, as well as protection and mitigation measures. It is recommended that prior to the start of any grading or construction on site, the area underneath the canopies or the protected trees should be protected.

#### Design Review

This project was reviewed by the Single Family Design Board on January 23, 2017. The Board has positive comments related to the project's design, as well as the size, bulk, scale and style of architecture. The SFDB found the modification request to allow the accessory building in the remaining front yard to be aesthetically appropriate and consistent with the Single Family Design Guidelines.

### **V. FINDINGS AND CONDITIONS**

The Staff Hearing Officer finds:

1. The project qualifies for an exemption from further environmental review under the California Environmental Quality Act Guidelines Section 15183, "Projects Consistent with a Community Plan or Zoning," based on the CEQA certificate of determination on file for this project.
2. The Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed accessory structure in the remaining front yard is appropriate because site constraints restrict the area available to construct an accessory building. The location of the accessory building in the remaining front yard is not anticipated to adversely impact the openness of the street frontage because due to the elevation difference between the Alston Road and the elevation of the finished floor would limit visibility of the structure from the public right-of-way.

Said approval is subject to the following conditions:

1. **Geologic Investigation Report.** The recommendations/conditions contained in the geologic investigation report prepared by Adam K. Simmons, Certified Engineering Geologist and Hydrogeologist dated May 17, 2017, shall be implemented.
2. **Arborist Report.** The recommendations/conditions contained in the arborist report prepared by Kenneth Knight, Certified Master Arborist on May 3, 2017 shall be implemented to protect the existing oak trees on site.
3. **Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible prehistoric or Native American artifacts or materials, Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated January 25, 2017
- C. SFDB Minutes, dated January 23, 2017

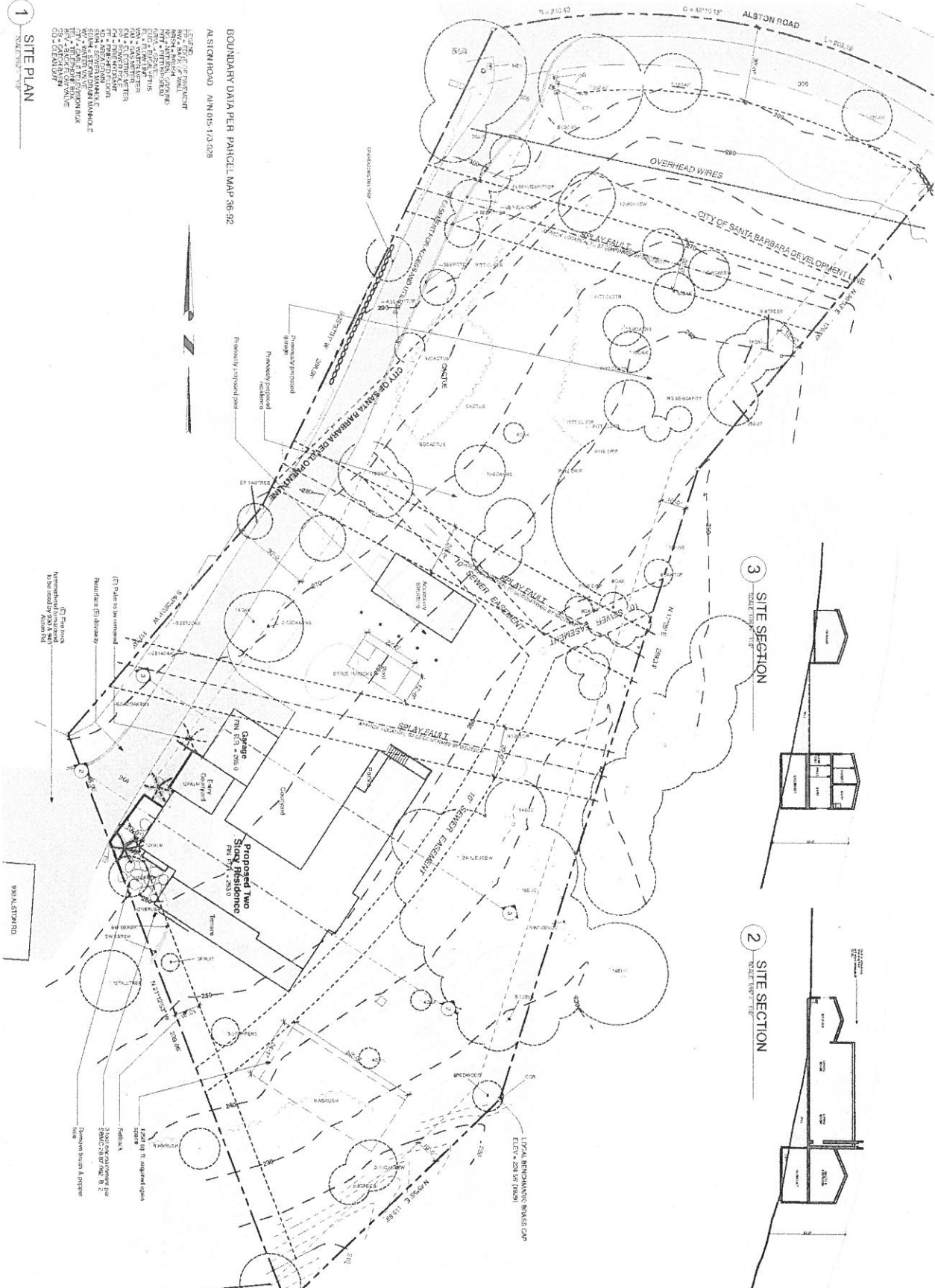
Contact/Case Planner: Andrew Perez, Planning Technician II  
(ACPerez@SantaBarbaraCA.gov)  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470 x 4559



1 SITE PLAN

[illegible]

BOUNDARY DATA PER PARCEL MAP 36-92  
ALSTON ROAD A/PN 015-173-028



APN : 015-173-028

### Gerlach/Rudd Residence

940 ALSTON RD. SANTA BARBARA,  
CALIFORNIA 93108

151010  
2016-09-22 Coverage: 1700  
2016-12-19 Mod: 1640  
2016-12-20 Suppl: 87708  
2017-01-20 Coverage: 1700  
2017-01-26 Mod: 161000  
  
PRINTED 1/25/17  
  
JOB NUMBER: 16609  
SRT: AO  
08

THESE ARE THE FIRST TWO OF THE 12 VOLUMES IN THE SERIES. THE OTHERS WILL BE AVAILABLE IN THE NEXT FEW MONTHS. THE SERIES IS AVAILABLE IN BOTH HARDCOVER AND PAPERBACK EDITIONS. THE PAPERBACK EDITIONS ARE AVAILABLE AT A SPECIAL DISCOUNT PRICE. THE SERIES IS AVAILABLE IN BOTH HARDCOVER AND PAPERBACK EDITIONS. THE PAPERBACK EDITIONS ARE AVAILABLE AT A SPECIAL DISCOUNT PRICE.

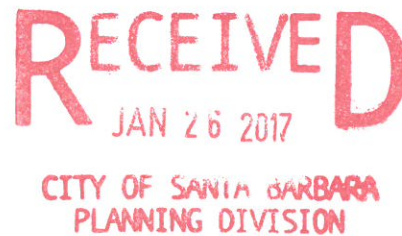
KAS  
ARCHITECTS



Inken Gerlach & Charles Rudd  
c/o Kas Seefeld, Architect  
524 Casitas Rd.  
Santa Barbara, CA 93103

January 25, 2017

Staff Hearing Officer  
City of Santa Barbara  
P.O. Box 1990  
Santa Barbara, CA 93102-1990



**Re: Modification request for 940 Alston Rd.; APN 015-173-028; Land use zone A-2**

Dear Staff Hearing Officer:

1. 940 Alston Road is a 1.83 acre previously undeveloped site in a residential neighborhood, zoned A-2. A 5,126 square foot two-story single family residence with a 393 square foot basement, 440 square foot garage and a 499 square foot detached accessory structure, new pool, site improvements and the removal of one palm tree is proposed.

This is a unique site, characterized as more rural than urban. The site topography slopes downhill away from Alston. The topography, setbacks, easements and surroundings all pose special circumstances, specifically:

- The barranca and existing vegetation restrict the available building area
- The geological setbacks, indicated as splay faults on the site plan restrict the building area
- City sewer easements crisscross the site and restrict the building area
- PC Resolution\_12-85, states the oak trees are to be preserved, restricting the building area
- The existing topography of the property in question restrict the building area

2. The modification being requested is to allow a 500 square foot accessory structure in the remaining front yard.

Given the unique circumstances of this lot (see above) the buildable area is restricted. To fit the owner's program and respond to the comments from the immediate neighbor at 930 Alston Rd., as well as comments from Single Family Design Review Board (SFDRB) members, the design team elected to relocate part of the owner's program from the residence to an accessory building.

The proposed location of the accessory structure is nestled adjacent to native oaks to conceal the structure from the road, while respecting the oaks canopy drip line(s).



3. The benefits of allowing the accessory structure in the front yard:

- Reduces the size, bulk, and scale of the residence; especially concerning the adjacent neighbor at 930 Alston Rd.
- Prevent the need to increase the size of the second floor to accommodate the program
- Reduces the overall height of the residence
- Balances the site design and overall project massing

Should you have any questions, please do not hesitate to call, or email me.

Respectfully,

Kas Seefeld, Architect

**CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING****7. 940 ALSTON RD****A-2 Zone****(6:00)**

Assessor's Parcel Number: 015-173-028  
Application Number: MST2016-00444  
Owner: Inken H. Gerlach and Charles R. Rudd  
Agent: Kas Seefeld

(This is a revised project description. Proposal to construct a new 5,126 square foot two-story single family residence with a 393 square foot basement, 440 square foot detached garage and 499 square foot detached accessory structure on a previously undeveloped site. Proposed site improvements include 978 square feet of decks, a 22'x12' swimming pool, spa and new site landscaping including the removal of one palm tree. Approximately 711 cubic yards of cut and 677 cubic yards of fill will occur with 34 cubic yards to be balanced on-site. The proposed total of 5,625 square feet on 1.72 acre lot located in the Hillside Design District is 105% of the guideline maximum floor to-lot-area ratio (FAR). Project requires Staff Hearing Officer Review for a requested Zoning Modification to allow an accessory building to be located in the remaining front yard.)

**(Comments Only; Project requires Staff Hearing Officer Review for a Zoning Modification request.)**

Actual time: 5:45 p.m.

Present: Kas Seefeld, Architect; and Charles R. Rudd, Owner

Public comment opened at 5:56 p.m.

1. Kerry Moriarty, adjacent neighbor, (submitted opposition letter regarding *previous* design) he found the current revised design acceptable, and only spoke of concerns regarding proposing a westerly 6-foot privacy wall to be as high as possible to mitigate any noise impacts, and requested mature plantings for landscaping.

Public comment closed at 6:00 p.m.

Public correspondence of concern from Kerry and Geonine Moriarty and Marsha Byers (privacy issues) were acknowledged.

**Motion: Continued indefinitely to Staff Hearing Officer for return to Full Board with comments:**

1. The Board had positive comments regarding the project's design which is appropriate for the neighborhood.
2. The Board had positive comments regarding the project's size, bulk, scale, and style of architecture.
3. The Board recommends lowering the plate height of the proposed accessory structure.
4. The Board supports the modification request for the front yard setback and the proposed accessory structure as aesthetically appropriate and does not pose consistency issues with the Single Family Design Guidelines.

Action: Miller/Woolery, 5/1/0. Motion carried. (Bernstein opposed.)